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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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JUN 10 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of) CC Docket No. 91-142
ALABAMA WIRELESS, INC., formerly)
ALGREG CELLULAR ENGINEERING	) File No. 10607-CL-P-307-A-89
For facilities in the Domestic Public Cellular)
Telecommunications Radio Service on Frequency)
Block A, in Market 307, Alabama 1- Franklin)
CRANFORD CELLULAR COMMUNICATIONS,	) File No. 10611-CL-P-311-A-89
L.L.C., formerly CRANFORD CELLULAR)
COMMUNICATIONS)
For facilities in the Domestic Public Cellular)
Telecommunications Radio Service on Frequency)
Block A, in Market 311, Alabama 5- Cleburne)
BAY CELLULAR OF FLORIDA	) File No. 10754-CL-P-497-A-89
For facilities in the Domestic Public Cellular)
Telecommunications Radio Service on Frequency)
Block A, in Market 497, Mississippi 5-Washington)
FLORIDA CELLULAR	) File No. 10445-CL-P-505-A-89
For facilities in the Domestic Public Cellular)
Telecommunications Radio Service on Frequency)
Block A, in Market 505, Missouri 2- Harrison)
A-1 CELLULAR COMMUNICATIONS, L.L.C.,	) File No. 10454-CL-P-514-A-89
formerly A-1 CELLULAR COMMUNICATIONS)
For facilities in the Domestic Public Cellular)
Telecommunications Radio Service on Frequency)
Block A, in Market 514, Missouri 11- Monteau)
BRAVO CELLULAR, LLC, formerly)
BRAVO CELLULAR	) File No. 10673-CL-P-579-A-89
For facilities in the Domestic Public Cellular)
Telecommunications Radio Service on Frequency)
Block A, in Market 579,)
North Carolina 15-Cabarrus)
OHIO WIRELESS, LLC, formerly)
ALPHA CELLULAR	) File No. 10909-CL-P-586-A-89
For facilities in the Domestic Public Cellular)
Telecommunications Radio Service on Frequency)
Block A, in Market 586, Ohio 2, Sandusky)

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CEL-TEL COMMUNICATIONS OF OHIO, Ltd., formerly CEL-TEL COMMUNICATIONS)) File No. 10912-CL-P-589-A-89)
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 589, Ohio 5- Hancock))))
EJM CELLULAR, L.L.C., formerly ELM CELLULAR PARTNERS	) File No. 10567-CL-P-596-A-89))
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 596, Oklahoma 1-Cimarron))))
PINELLAS COMMUNICATIONS	) File No. 10808-CL-P-613-A-89)
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 613, Pennsylvania 2- McKean))))
CENTAUR PARTNERSHIP	) File No. 10720-CL-P-631-A-89)
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 631, South Carolina 7-Calhoun))))
SOUTH CAROLINA CELLULAR CORP., formerly SIGNAL CELLULAR COMMUNICATIONS	) File No. 10721-CL-P-632-A-89))
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 632, South Carolina 8-Hampton))))
A-1 CELLULAR OF TEXAS, L.P., formerly A-1 CELLULAR COMMUNICATIONS	) File No. 10409-CL-P-661-A-89))
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 661, Texas 10- Navarro))))
EJM CELLULAR, L.L.C., formerly EJM CELLULAR PARTNERS	) File No. 10116-CL-P-721-A-89))
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 721, Wyoming 4- Niobrara))))
JAYBAR COMMUNICATIONS, L.L.C., formerly JAYBAR COMMUNICATIONS	) File No. 10042-CL-P-323-A-88))
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 323, Arizona 6-Graham, for Station KNKN251)))))

DATA CELLULAR SYSTEMS	) File No. 10029-CL-P-345-A-88
)
For facilities in the Domestic Public Cellular Tele-)
communications Radio Service on Frequency Block A,)
in Market 345, California 10-Sierra, for)
Station KNKN250)
)
CELLULAR PACIFIC	) File No. 10031-CL-P-346-A-88
)
For facilities in the Domestic Public Telecommun-)
ications Radio Service on Frequency Block A, in)
Market 346, California 11-El Dorado, for)
Station KNKN252)
)
NORTH AMERICAN CELLULAR	) File No. 10066-CL-P-388-A-88
)
For facilities in the Domestic Public Telecommun-)
ications Radio Service on Frequency Block A, in)
Market 388, Idaho 1-Boundary, for Station KNKN253)

To: Assistant General Counsel
Administrative Law Division

COMMENTS ON "PETITION FOR RECONSIDERATION"

Alabama Wireless, Inc., formerly Algreg Cellular Engineering ("Algreg"), Cranford Cellular Communications, L.L.C., formerly Cranford Cellular Communications ("Cranford"), Bay Cellular of Florida ("Bay"), A-1 Cellular Communications, L.L.C. and A-1 Cellular of Texas, L.P., both formerly A-1 Cellular Communications ("A-1"), Cel-Tel Communications of Ohio, Ltd., formerly Cel-Tel Communications ("Cel-Tel"), EJM Cellular, L.L.C., formerly EJM Cellular Partners ("EJM"), Pinellas Communications ("Pinellas"), Centaur Partnership ("Centaur"), Ohio Wireless, LLC, formerly Alpha Cellular ("Alpha"), South Carolina Cellular Corporation, formerly Signal Cellular Communications ("Signal"), Jaybar Communications, L.L.C., formerly Jaybar Communications ("Jaybar"), Data Cellular Systems ("Data"), Cellular Pacific ("CP"), and North American Cellular ("North American") (collectively, "Licensees"), by their attorneys and pursuant to Section 1.45 of the Commission's Rules, hereby submit their Comments herein upon the "Petition for

Reconsideration” (“Petition”) filed May 28, 1999 by the law firm of Bechtel & Cole on behalf of certain persons who have never been admitted as parties to the proceeding.¹ The Petition purports to seek reconsideration, at least in part, of the Commission’s April 28, 1999 *Memorandum Opinion and Order*, FCC 99I-08 (“*Severance Order*”), which severed the processing of the first fourteen of the above-captioned matters (*i.e.*, Algreg through EJM) from the processing of the other four above-captioned matters (*i.e.*, Jaybar through North American, these latter four also therein being severed from each other into four separate proceedings) and from certain other matters that had previously been handled on a consolidated basis for the Commission’s convenience. The Petition did not seek review of any ordering clause in the *Severance Order*, or of any of the relief granted by the *Severance Order*. Rather, the Petition first posits that the *Severance Order* also, *sub silentio*, resolved substantive and procedural issues never mentioned in the *Severance Order*, and then requests reversal of such supposed *sub silentio* actions!

Manifestly, the *Severance Order* provided only the relief set forth in its text. The Licensees suggest herein that the Commission accept the “invitation” made in footnote 1 of the so-called Petition – that is, the Licensees hereby request that the Commission promptly issue an order stating that the *Severance Order* did not purport to resolve the Cole Group’s pending “Statement for the Record” or any opposition thereto or any other issue, but that it merely severed, on a prospective basis, several proceedings that no longer need be consolidated, so that a continued challenge to one particular proceeding would no longer delay finality with respect to a different proceeding.

¹The involved persons are Castle Trust, Orbit Cellular, RSA Cellular Partners, Schuykill Mobile Fone, Inc., Scott Reardon, Skyline Cellular Partners, Sunrise Trust, Walker Trust, and Turnpike Cellular Partners (collectively, the “Cole Group”).

By acting promptly to "clarify" the *Severance Order* for the Cole Group, the Commission can bring immediate finality to those entities whose licenses have never been challenged since the release of the decision in *Algreg Cellular Engineering*, 12 FCC Rcd. 8148 (1997) ("*Algreg VT*"), and can hasten the future finality for those Licensees that are now subject to attack but who may not be subject to further attack once the FCC rules on the pending substantive pleadings (including the pending request by AALA/CFL to dismiss its petitions against those of the Licensees whose authorizations were first granted by *Algreg VI*).

Respectfully submitted,

Cranford Cellular Communications, L.L.C.
Bay Cellular of Florida
A-1 Cellular Communications, L.L.C.
Cel-Tel Communications of Ohio, Ltd.
EJM Cellular, L.L.C.
Pinellas Communications
Centaur Partnership
Jaybar Communications, L.L.C.
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107/fcc/OpptoCole6-10-99

CERTIFICATE OF SERVICE

I, cece richardson, a secretary at the law firm of Brown Nietert & Kaufman, Chartered, do hereby certify that I caused a copy of the foregoing **COMMENTS ON "PETITION FOR RECONSIDERATION"** to be sent via first class U.S. Mail, postage prepaid, on this 10th day of June, 1999, to each of the following:

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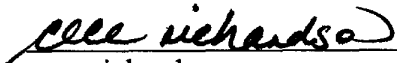
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